IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SRI INTERNATIONAL, INC., a California Corporation,	)	
	)	
	)	
Plaintiff and	)	
Counterclaim-Defendant,	)	
	)	
v.	)	
	)	C. A. No. 04-1199 (SLR)
INTERNET SECURITY SYSTEMS, INC.,	)	
a Delaware Corporation, INTERNET	)	
SECURITY SYSTEMS, INC., a Georgia	)	
Corporation, and SYMANTEC	)	
CORPORATION, a Delaware Corporation,	)	
	)	
Defendants and	)	
Counterclaim-Plaintiffs.	)	

DECLARATION OF DON HALL IN SUPPORT OF
DEFENDANT ISS'S MOTION FOR SUMMARY JUDGMENT
THAT THE ASSERTED CLAIMS OF THE SRI PATENTS-IN-SUIT
ARE NOT INFRINGED OR, IN THE ALTERNATIVE, ARE INVALID

OF COUNSEL:

Holmes J. Hawkins III
Bradley A. Slutsky
Natasha H. Moffitt
KING & SPALDING LLP
1180 Peachtree Street
Atlanta, GA 30309
Tel: (404) 572-4600

Theresa A. Moehlman
Bhavana Joneja
KING & SPALDING LLP
1185 Avenue of the Americas
New York, New York 10036
Tel.: (212) 556-2100

Dated: June 16, 2006

Richard L. Horwitz (#2246)
David E. Moore (#3983)
POTTER ANDERSON & CORROON LLP
Hercules Plaza 6th Floor
1313 N. Market Street
Wilmington, DE 19801
Tel: (302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com

Attorneys for Defendants
INTERNET SECURITY SYSTEMS, INC.,
a Delaware corporation; and
INTERNET SECURITY SYSTEMS, INC.,
a Georgia corporation

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SRI INTERNATIONAL, INC., a California Corporation,)))	
Plaintiff and Counterclaim-Defendant,)))	
v.)))	
INTERNET SECURITY SYSTEMS, INC., a Delaware Corporation, INTERNET SECURITY SYSTEMS, INC., a Georgia Corporation, and SYMANTEC CORPORATION, a Delaware Corporation,)))))))	C. A. No.: 04-1199 (SLR)
Defendants and Counterclaim-Plaintiffs.)))	

DECLARATION OF DON HALL

1.   My name is Don Hall. I currently reside at 1750 Ashway Drive, Cumming, Georgia 30040. I hold a Bachelor of Science degree in Electrical Engineering from Auburn University. The facts set forth herein are based upon my own experience, personal knowledge, and belief, and are true.

2.   I am currently employed by Internet Security Systems, Inc., a Georgia corporation located in Atlanta, Georgia ("ISS"), as Engineering Director. I have been employed by ISS since 1997. While employed by ISS, I have participated in and/or overseen the design and development of a number of products and technologies for ISS, including the RealSecure system. Accordingly, I have personal knowledge relating to the design and development of the RealSecure system, including the RealSecure Release 1.0 for NT product ("RealSecure NT 1.0").

3.   ISS designs and develops a variety of security products that assist companies and other entities in detecting and/or preventing attacks and security incidents in a computer network. ISS's products include "sensors" that monitor network traffic (including TCP/IP network traffic) and/or activity logs on a server or desktop to identify potential attacks and incidents. A sensor's security policy defines the types of attacks the sensor should detect and any response that the sensor should take upon detecting an attack (like killing a network connection or blocking network traffic to or from a particular network address).

4.   ISS also designs and develops software products that allow a user to configure ISS's sensors and review event information received from the sensors when the sensors detect an attack or security incident. For example, ISS's RealSecure system-- which ISS first released to the public at least as early as January 1997 -- allowed a user to configure and maintain sensors (called "RealSecure Engines") and display and report on events received from the Engines when they detected an attack. More specifically, the RealSecure Engines would monitor network packets in real time looking for attacks and security incidents. When the Engines detected an attack, they could respond in a variety of ways, including logging a connection, notifying a network administrator, and killing the connection. The Engines would also send the events to the RealSecure Console in real time as they were detected by the Engines. The RealSecure Console was a graphical user interface for displaying events and other information to a user. The Console could have many RealSecure Engines under its control.

5.   RealSecure NT 1.0 provided a RealSecure Activity Tree Window feature in the RealSecure Console, which integrated the reports from the RealSecure Engines and provided correlation capabilities. For example, the Console could correlate reports based on various criteria, including the network source address that initiated the security event or incident

("Source"), the network destination address affected by the security event or incident

("Destination"), and the name of the security attack event recorded ("Event"). This correlation

was shown in the Console's Activity Tree Window display, which was automatically produced

upon startup of the RealSecure Console and automatically updated without manual intervention.

On this Activity Tree Window, the Console could display the grouping and numerical count of

all similar intrusion events. In particular, the Activity Tree could display in a single view the

grouping and a numerical count of all similar intrusion events from a single source, no matter

how many destinations were attacked by that source. The Activity Tree could display in a single

view the grouping and a numerical count of all the destinations affected by all attacks from a

single source, no matter how many different attacks were launched by that source. Also, the

Activity Tree could display in a single view the grouping and a numerical count of all the

sources of all attacks upon each destination under jurisdiction, no matter how many sources

launched different attacks.

6. Attached as Exhibit A is a true and correct copy of a March 25, 1997 press release

that was distributed and available on ISS's website, in which ISS announced the immediate

availability of RealSecure UNIX 1.1 for evaluation and purchase (ISS_00357263).

7. Attached as Exhibit B is a true and correct copy of a May 12, 1997 press release

(the "May 12, 1997 press release") that was distributed and available on ISS's website, in which

ISS announced the launch of RealSecure NT 1.0, and that RealSecure NT 1.0 could be purchased

directly from ISS or through authorized ISS Security Partners worldwide (ISS_00357262).

8. Attached as Exhibit C is a true and correct copy of the "RealSecure Release 1.0

for Windows NT 4.0 A User Guide and Reference Manual," which describes how the

RealSecure NT 1.0 system operated (ISS_02126117-244). I have reviewed the electronic files

3

on the SAFEsuite CD produced in this litigation (ISS00342048) relating to the RealSecure NT 1.0 software, including an electronic version of the attached manual. The metadata associated with the electronic copy of the manual and the executable software files on the CD show that the manual was modified no later than August 15, 1997, and that the RealSecure NT 1.0 software was made publicly available no later than September 1997.

9.   Attached as Exhibit D is a true and correct copy of the "RealSecure 1.0 User Guide and Reference Manual," which describes how the RealSecure UNIX 1.0 system operated (ISS_00354437-465). I have reviewed the electronic files on the SAFEsuite CD produced in this litigation (ISS00342047) relating to the RealSecure UNIX 1.0 software, including an electronic version of the attached manual. The metadata associated with the electronic copy of the manual and the executable software files on the CD show that the manual was created no later than December 30, 1996, and that the RealSecure UNIX 1.0 software was made publicly available no later than January 1997.

10.   Attached as Exhibit E is a true and correct copy of the "RealSecure 1.1 User Guide and Reference Manual," which describes how the RealSecure UNIX 1.1 system operated (ISS25387-463). I have reviewed the electronic files on the SAFEsuite CD produced in this litigation (ISS00342049) relating to the RealSecure UNIX 1.1 software, including an electronic version of the attached manual. The metadata associated with the electronic copy of the manual and the executable software files on the CD show that the manual was created no later than March 28, 1997, and that the RealSecure UNIX 1.1 software was made publicly available no later than April 1997.

11.   Attached as Exhibit F is a true and correct copy of the "RealSecure 1.2 User Guide and Reference Manual," which describes how the RealSecure UNIX 1.2 system operated

(ISS25469-566). I have reviewed the electronic files on the SAFEsuite CD produced in this

litigation (ISS00342048) relating to the RealSecure UNIX 1.2 software, including an electronic

version of the attached manual. The metadata associated with the electronic copy of the manual

and the executable software files on the CD show that the manual was created no later than

September 9, 1997, and that the RealSecure UNIX 1.2 software was made publicly available no

later than October 1997.

12.   Attached as Exhibit G is a true and correct copy of an article entitled "RealSecure

1.0 for Windows NT," which was printed in the October 1997 issue of Windows NT Magazine,

and which describes the RealSecure system (ISS_02125872-875).

13.   Attached as Exhibit H is a true and correct copy of a web page from ISS's website

entitled "More About RealSecure General Description and Comparison to Existing Systems,"

and which describes the RealSecure system (ISS_00357169-178). I understand that Internet

Archive has affirmed that Exhibit H is a true and accurate copy of the files archived from ISS's

website on July 21, 1997. See 04/17/2006 Affidavit of Paul Hickman, attached hereto as Exhibit

I.

14.   Attached as Exhibit J is a true and correct copy of a May 12, 1997 press release as

posted on ISS's website (ISS_00357164-165). I understand from the printed URL on the article

that the press release was available on ISS's website at least as early as July 21, 1997.

15.   Attached as Exhibit K is a true and correct copy of a paper entitled "Real-time

attack recognition and response: A solution for tightening network security," which describes the

RealSecure system (ISS_00357245-259). I understand that Internet Archive has affirmed that

Exhibit K is a true and accurate copy of the paper archived from ISS's website on July 9, 1997.

See Exhibit I.

16.   Attached as Exhibit L is a true and correct copy of a webpage entitled

"Frequently-Asked Questions about RealSecure" (ISS_00357179-193). I understand that

Internet Archive has affirmed that Exhibit L is a true and accurate copy of the files archived from

ISS's website on July 21, 1997. See Exhibit I.

17.   I understand that Internet Archive has affirmed that a version of the RealSecure

1.2 User Guide and Reference Manual was archived from ISS's website on July 9, 1997. See

04/19/2006 Affidavit of Paul Hickman, attached hereto as Exhibit M.

18.   RealSecure NT 1.0 could monitor many network services, including file transfers

(network packet data transfer commands). See, e.g., Ex. A at i.

19.   Attached as Exhibit N is a true and correct copy of an article entitled

"Cybercops," which was printed in the March 10, 1997 issue of FORBES Magazine and

reprinted with permission by ISS, and which describes the RealSecure system (ISS_02125861-

864).

20.   Attached as Exhibit O is a true and correct copy of an article entitled

"Cybercops," which was printed in the March 10, 1997 issue of FORBES Magazine, and which

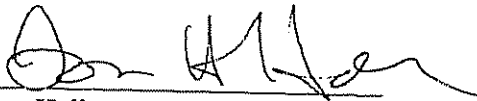describes the RealSecure system (ISS_02125900-902).

21.   Prior to November 9, 1997, various versions of the ISS RealSecure system were

commercially on sale, including RealSecure NT 1.0 and RealSecure UNIX 1.2.1, 1.1.1, and 1.0.

22.   Prior to November 9, 1997, ISS typically provided manuals of how its products

operated to its customers.

23.   Prior to November 9, 1997, ISS typically posted copies of its product manuals,

which described how its products operated, on its website.

24.   I reserve the right to supplement my affidavit and to rely on additional information that comes to my attention between now and the end of trial. I declare under penalty of perjury that the foregoing is true and correct.

Dated: 6/16/2006   Don Hall

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on June 16, 2006, the foregoing document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

John Horvath
Fish & Richardson P.C.
919 N. Market Street, Suite 1100
P. O. Box 1114
Wilmington, DE   19899

Richard K. Herrmann
Morris James Hitchens & Williams LLP
222 Delaware Avenue, 10th Floor
P.O. Box 2306
Wilmington, DE 19899-2306

I hereby certify that on June 16, 2006, I have Electronically Mailed the attached document to the following non-registered participants:

Howard G. Pollack
Michael J. Curley
Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
pollack@fr.com
curley@fr.com

Paul S. Grewal
Day Casebeer Madrid & Batchelder LLP
20300 Stevens Creek Boulevard
Suite 400
Cupertino, CA 95014
pgrewal@daycasebeer.com

/s/ David E. Moore
Richard L. Horwitz
David E. Moore
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 North Market Street
Wilmington, DE 19899-0951
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com

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